

Hamilton County Plan Commission

January 13, 2004

Mr. Habig called the official meeting of the Hamilton County Plan Commission to order at 7:31 p.m.

Members Present: Jim Galloway, Frank Habig, Ron Hall, Bill Rice, Kent Ward, and Linda Williams. David Musselman arriving late. Absent: Steve Holt and Steve Schwartz. Also present: Charles E. Kiphart, Director; Randy Leerkamp, Legal Counsel; and Linda Burdett, Secretary.

Declaration of Quorum: Mr. Habig declared a quorum with six out of nine members present.

Guests: No one present.

Communications/Reports: Nothing to present.

Approval of Minutes: Mr. Habig asked if everyone received a copy of last month's meeting. Any corrections?

Mr. Hall **moved to approve** as mailed.

Mr. Rice seconded.

With no comments or corrections...Mr. Habig called for the vote. **5 yes votes...0 no votes...1 abstentions.** Mr. Rice was not at the meeting.

Public Comment: Mr. Habig opened the floor to public comment. And with no one from the public present... Mr. Habig continued the meeting.

Correspondence: Nothing to present.

President's Report: Mr. Habig stated he had nothing.

Election of Officers: Mr. Habig opened the floor to nominations for Plan Commission President.

Mr. Galloway **nominated** Mr. Habig to continue as President.

Mr. Rice seconded.

With no other nominations for President... Mr. Habig called for the vote. **6 yes votes... 0 no votes.**

Mr. Habig opened the floor to nominations for Plan Commission Vice President.

Mr. Galloway **nominated** Mr. Musselman for Vice President.

HCPC 01/13/2004

Mrs. Williams seconded.

With no other nominations for Vice President... Mr. Habig called for the vote. **6 yes votes... 0 no votes.**

Mr. Habig opened the floor to nominations for Plan Commission Secretary.

Mr. Rice **moved to continue to appoint** Linda Burdett as our secretary.

Mr. Hall seconded.

With no other nominations for Secretary... Mr. Habig called for the vote. **7 yes votes... 0 no votes.**

New Business: No new business to present.

Old Business: The proposed P.U.D. amendment... the Miscellaneous Section.

Mr. Kiphart approached the podium to address the Board. This mostly deals with going back and making changes to other sections of the zoning ordinance other than the actual P.U.D. section itself where we have to reference things. There is not too much new or different than what was already talked about in the P.U.D. Ordinance. It does require a development plan for business communities that abut the rights-of-way for U.S. 31 or State Road 37 or a residential district. It does the same thing in the manufacturing district. It gives the criteria by which that permit can be issued. If there are small changes that are covered in the Ordinance and it has requirements for then I can actually approve that and they don't have to go through the entire P.U.D. process to make minor amendments as long as it is covered in the P.U.D. Ordinance.

Mr. Ward asked to have added to page 6 paragraph 7... regulated drain easements... you might also say utility easements, drainage easements and regulated drain easements, and other public open spaces.

Mr. Hall asked if there were any anticipated automatic corresponding changes on the zone map designations or will that take another act of the Commissioners.

Mr. Kiphart stated that the verbiage will be in there to do that automatically.

Discussion followed regarding setting the proposed P.U.D. amendment for public hearing. Mr. Kiphart stated that he will run this in the paper twice and he would check with Mr. Valanzano to be sure he will be available.

Mr. Ward **moved to set the public hearing** for March.

Mr. Hall seconded.

There was a full consensus of the Board.

HCPC 01/13/2004

Director's Report: Mr. Kiphart stated that for the comprehensive update, we do have a contract with Conservation Design. Mr. Hassrick was going to call me with some potential meeting dates. Several suggestions were made on who to invite to the Comprehensive Plan meetings.

Legal Counsel Report: Mr. Leerkamp stated that there was a judgement against Richard Romes. My instructions in the past have been with regard to collecting the judgement was to leave it alone, let it be a lien on the real estate, and when it comes time to transfer it or get another mortgage on it or something, then we get paid off. They gave the real estate back to the bank. I can't make the bank pay it because the judgement lien was only against Mr. Romes. The bank has cleaned up the real estate. The Romes live in Allen County. I could record our judgement lien up there and any property he acquires or owns in Allen County would then have a lien on it. Or I could just forget it.

Mr. Habig asked about the amount of the judgement.

Mr. Leerkamp stated he thought it was about \$2,000.00. Mr. Romes does involve himself in some big jobs sometimes so he does have the ability to acquire real estate and other property.

Mr. Hall stated that for a couple of thousand dollars it did seem prudent to him to go ahead and do that.

Mr. Leerkamp stated that he would do that then. The second thing is my contract for next year.

Mr. Rice **moved to approve** Mr. Leerkamp's contract.

Mr. Hall seconded.

With no further discussion... Mr. Habig called for the vote. **7 yes votes...0 no votes.**

The next Plan Commission meeting will be February 10, 2004.

And with all items on the agenda being completed...Mr. Habig adjourned the meeting at 8:08 p.m.

Frank Habig III, President

Date

Linda Burdett, Secretary

Date

HCPC 01/13/2004